

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION

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May 4, 2004

FROM: Bill Postmus, 1st District
BOARD OF SUPERVISORS

SUBJECT: BALDY MESA WATER DISTRICT BOARD VACANCY

RECOMMENDATION: Consider appointment of Director to fill the Baldy Mesa Water District Board vacancy created by the resignation of Director Jonathan Ervin, or order the Baldy Mesa Water District to call an election to fill the vacancy.

BACKGROUND INFORMATION: The Baldy Mesa Water District was formed on February 8, 1965 as a self-governed district with five elected individuals that serve on its Board of Directors. Currently, there is a vacancy on the Board of Directors due to the resignation of Director Jonathan Ervin, effective February 5, 2004. Notices of the vacancy were posted, and the District received applications from five individuals: Marlene East, Norman Miller, Norman Nichols, Jack Stonesifer and Russell Wilcox.

At the Board meeting on March 18, 2004, the District Board of Directors was unable to adopt a motion supported by at least three votes to fill the vacancy by appointment. The remaining Directors were also unable to obtain the necessary three votes to call an election. Consequently, the Board directed Don Bartz, Secretary to the Board of Directors and General Manager of Baldy Mesa Water District, to request the Board of Supervisors to fill the position by appointment or by calling an election pursuant to Government Code Section 1780(b), since a portion of the District is located within the County, thereby giving jurisdiction in this matter to the Board of Supervisors.

Government Code Section 1780 provides that the Board of Supervisors may fill the vacancy within 90 days of the vacancy (May 5, 2004) or may order the District to call an election to fill the vacancy. The individual appointed to fill the vacancy will serve through December 2, 2005, the unexpired term of the vacant office.

REVIEW BY OTHERS: This item has been reviewed by J. Renee' Bastian, Clerk of the Board on April 29, 2004, Daniel Haueter, Chief Deputy County Counsel on April 29, 2004, L. Thomas Krahelski, Deputy County Counsel on April 29, 2004 and Steven N. Trout, Assistant Registrar of Voters on April 29, 2004.

SUPERVISORIAL DISTRICT(S): 1st

PRESENTER: Bill Postmus, 1st District Supervisor, 387-4830

Record of Action of the Board of Supervisors

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